

Region 3 GPRA 2020 Baseline RCRA Corrective Action Facility

HAMPTON INDUSTRIAL PLATING SITE (Sembilan LLC)

109 Industry Drive
Tabb, VA 23693
Congressional District 9
EPA ID No. VAD037426228
Last Updated 1/08/2009

Current RCRA CA Activities

RCRA Closure and corrective action (CA) activities at the Hampton Industrial Plating (Hampton) facility in Tabb, Virginia, are being conducted under the direction of the Virginia Department of Environmental Quality (DEQ).

The DEQ prepared and approved a *Hazardous Waste Management Units Closure Plan for the Industrial Plating Site (Closure Plan)* effective September 11, 1997, to address closure requirements associated with hazardous waste management units (HWMUs) at the facility site.

The Corrective Action (CA) site investigations and any necessary clean up activities at the Hampton facility are being implemented in accordance with the conditions and requirements of the EPA Region III Facility Lead Corrective Action Program under the Resource Conservation and Recovery Act (RCRA). On September 18, 2004, Sembilan Enterprises, LLC (purchaser of the Hampton facility property) submitted a letter of commitment and entered into a Facility lead Agreement (FLA) with the U.S. EPA to address CA at the facility site under the RCRA.

The U. S. EPA has delegated the DEQ as the lead agency for technical and administrative oversight of corrective action (CA) activities at Clean Harbors under the FLA under the RCRA.

Therefore, the CA investigations and any necessary site-wide CA clean up activities are being implemented in accordance with the conditions and requirements of the the FLA and in accordance with the unit specific closure requirements of the approved Closure Plan.

The FLA approach encourages RCRA Corrective Action facilities to take the lead in addressing corrective action using a generic, non-enforceable, agreement which includes the same requirements, and relies on the same scope of work and policy as a permit or an order. By agreeing to participate in the Facility Lead Corrective Action Program with EPA, the Facility commits to:

- Determine the extent and sources of all releases of hazardous wastes or hazardous waste constituents at or from the Facility using quality data.
- Evaluate and meet EPA's Environmental Indicators.
- Perform interim measures at the Facility to prevent or mitigate unacceptable threats to human health and the environment by: 1) controlling human exposures, and 2) controlling migration of any groundwater contamination at or from the Facility from releases of hazardous wastes or hazardous constituents.
- Conduct effective public involvement.
- Communicate regularly to EPA, the State, and the community on corrective action progress at the facility.

Under the FLA, the EPA agrees to provide an appropriate level of oversight to assist the facility to meet these goals. The EPA has CA Authority under the RCRA over the facility site, but has delegated the primary oversight responsibilities for CA for this site to the DEQ.

A *Facility Lead Agreement Work Plan (FLA Work Plan)*, dated January 2005, and revised March 2005, was submitted for corrective action. The *Container Storage Area Closure Report*, dated May 2005, and revised June 2005, with addendum August 2005, *Shop Area Closure Report*, dated October 2005, and *Alternate Closure Plan for the Vats*, dated July 13, 2005, were submitted to the DEQ for closure of the facility's HWMUs.

On August 4, 2008, the DEQ sent the facility technical review comments regarding the corrective action Facility Lead Agreement Work Plan (FLA Work Plan), dated March 2005. The FLA Work Plan was submitted in accordance with the FLA, signed September 18, 2004, between the EPA and Sembilan Enterprises, LLC.

On August 4, 2008, the DEQ also sent the facility technical review comments regarding the Container Storage Area Closure Report in accordance with the requirements of the Closure Plan, dated September 11, 1997.

As the closure and CA activities are interrelated, the DEQ recommended that soil sampling, testing, and removal actions for closure of the HWMUs (shop area and rear yard) be combined with the sampling, testing, and removal actions required of the other solid waste management units (SWMUs) and areas of concern (AOC) under the FLA Work Plan.

A revised FLA Work Plan is to be submitted by the facility to the DEQ for approval.

The DEQ has recommended that, upon completion of the closure and CA activities at the site, a single Closure and Corrective Action Report be submitted to address the outstanding closure and CA issues and activities at the site which includes: 1) removal action for soil in the shop area, 2)

removal action for soil in the container storage area (rear yard), 3) corrective action for soil in the west yard, east yard, and drainage ditches, 4) and groundwater sampling and analysis, as needed based upon CA and applicable closure related requirements.

As of October 17, 2008, the DEQ is preparing a preliminary risk assessment evaluation to assist the facility with both closure and CA evaluations at the site due to the extenuating circumstances associated with the changes in ownership at the facility site and time-line associated with both the closure and CA at this site. The DEQ's preliminary risk assessment evaluation findings will be provided to the facility in writing for the facility's use in the forthcoming closure and CA submittals to the DEQ.

Upon the DEQ's approval of the forthcoming *FLA Work Plan*, a public notice will be provided and published in a leading area newspaper to announce that CA activities will be performed at the Hampton Industrial Plating Site. The public notice will describe the scope and objectives of the CA activities. A public information meeting will be held at least 15 days after publishing the public notice, to discuss the approved FLA Work Plan, and the related closure and CA activities performed, and to be performed at the facility site.

Site Description

The Industrial Plating Corporation operated on the two acre Hampton Industrial Plating Site at 109 Industry Drive, Tabb, Virginia, as a metal electroplating and finishing facility from 1984 to 1989. The property is located between the Industry Drive cul-de-sac and Victory Boulevard (Route 171). The property is flat with drainage ditches that run adjacent to the western property boundary and Victory Boulevard (Route 171). The plating facility faces the Industry Drive Cul-de-Sac to the north. The Living Word Academy and Living Word Academy Recreational/Picnic Area is located to the east. A chain link fence provides site security and separates the Site from the day care facility. Groundwater is expected to be shallow ranging from approximately 5 to 10 feet below ground surface (bgs). There are no known private drinking water wells or production wells in the area.

On March 30, 1989, at the request of the Commonwealth of Virginia, Department of Waste Management (DWM) (predecessor to the DEQ), the Virginia State Police issued a warrant against Industrial Plating Corporation due to repeated violations of the Virginia Hazardous Waste Management Regulations (VHWMR).

On March 31, 1989, Industrial Plating Corporation ceased operations at the facility site.

A follow-up inspection by DWM, on May 1, 1989, noted continuing violations of the VHWMR and the RCRA. The facility was issued a Consent Order by the DWM on July 19, 1989. However, the Consent Order was not signed by the owner and the owner did not remove chemicals used in the manufacturing process.

On February 26, 1991, the DWM referred the site to the U. S. Environmental Protection Agency (EPA) for an emergency removal action (or cleanup action). From June 21, 1991, through June 30, 1992, the EPA performed a CERCLA emergency removal action. (See below for further details.)

The DEQ declared that the site was abandoned and prepared a *Hazardous Waste Management Units Closure Plan for the Industrial Plating Site (Closure Plan)* effective September 11, 1997, to address closure requirements associated with the facility's hazardous waste management units (HWMUs).

York County seized the property to pay back taxes and subsequently sold the property to Sembilan Enterprises, LLC.

On May 5, 1999, Commonwealth Environmental Associates, Inc. Midlothian, VA prepared a Risk Assessment analysis Findings Report for the Hampton Industrial site. The maximum cumulative (carcinogenic risk) was found to be 1.2×10^{-7} . Based on this Report, the carcinogenic risk associated with hypothetical residential exposure involving all relevant routes of exposure to all constituents of concern at the reported concentrations appeared to be within acceptable risks. (As noted above, effective October 2008, the DEQ is preparing a preliminary risk assessment evaluation to assist the facility with both closure and CA evaluations at the site due to the extenuating circumstances associated with the changes in ownership at the facility site and time-line associated with both the closure and CA at this site. The DEQ's preliminary risk assessment evaluation findings will be provided to the facility in writing for the facility's use in the forthcoming closure and CA submittals to the DEQ.)

In October 2000, the DEQ also placed Hampton Industrial Plating in the Virginia DEQ Brownfields Program to promote economic development. (Subsequent site investigation work was performed under the DEQ Brownfields program (see below).)

On September 18, 2004, Sembilan Enterprises, LLC, signed the *Facility Lead Corrective Action Agreement* between EPA and Sembilan Enterprises, LLC and accepted an invitation into the Facility Lead Agreement (FLA) Program for cleanup of the site with the condition that a site specific *Work Plan* was to include Corrective Action and Closure and was to be submitted to the DEQ.

On September 18, 2004, Sembilan Enterprises, LLC (purchaser of the Hampton facility property) submitted a letter of commitment and entered into a Facility lead Agreement (FLA) with the U.S. EPA Region III to conduct CA under the Facility Lead Corrective Action Program under the RCRA.

RCRA CA Milestones

To date, the following Resource Conservation and Recovery Act (RCRA) Closure and Corrective Action (CA) milestones have been completed at this facility:

- On February 26, 1991, the Department of Waste Management (DWM), predecessor to DEQ, referred the site to the U. S. Environmental Protection Agency (EPA) for an emergency removal action (or cleanup action). From June 21, 1991, through June 30, 1992, the EPA performed a CERCLA emergency removal action for the Shop (40 by 70 feet), Shed (small metal building at the southwest corner of the Shop, used for plating process hazardous waste drum storage), and the fenced Rear Yard (45 by 90 feet) to mitigate any immediate threats to human health and the environment. The EPA removal action began on June 25, 1991, and consisted of overpacking leaking drums, removing materials from vats, and mitigating the potential imminent threat to human health and the environment. A total of 212 drums were manifested and sent off-site for treatment and disposal on December 19, 1991. In March 1992, the Rear Yard (hazardous waste container storage area) was excavated to from the building to the ditch to a depth of 12 inches and backfilled with 12 inches of clean fill. A total of 156 cubic yards (251.5 tons) of contaminated soil was also sent off site for treatment and disposal in accordance with the RCRA Regulations. These cleanup activities under the EPA's emergency removal action did not constitute a final RCRA closure of the unauthorized hazardous waste management units (HWMUs). Records indicate that a 20-mil polyethylene liner with a 50 year life expectancy was placed over portions of the excavated area in the Rear Yard prior to backfilling.
- On April 29, 1992, EPA informed the DWM (predecessor to the DEQ) that the immediate hazard to human health and the environment had been removed and that no further EPA emergency removal action was deemed necessary.
- The DEQ prepared a *Hazardous Waste Management Units Closure Plan for the Industrial Plating Site (Closure Plan)* effective September 11, 1997, to address closure requirements of the HWMUs. The DEQ declared that the site was abandoned and no longer operated by IPS.
- The Waste Policy Institute (WPI) and the Virginia Polytechnic Institute and State University (Virginia Tech) prepared a *Brownfields Site Screening Report*, dated September 20, 2001, for the DEQ under the Brownfields Program, based on a June 13, 2001, site investigation.
- On January 27, 2005, Bay Environmental, Inc. submitted a *Facility Lead Agreement Work Plan (FLA Work Plan)*, dated January 2005, for corrective action under the Facility Lead Agreement. The DEQ submitted comments. Bay Environmental submitted a revised *FLA Work Plan*, dated January 2005 and revised March 2005, for corrective action. On June 23, 2005, the DEQ provided *FLA Work Plan* comments to Bay

Environmental and the Facility owner. Bay Environmental responded to the DEQ comments by letter dated July 6, 2005 and received by DEQ on July 8, 2005.

- On November 17, 2005, Bay Environmental, Inc. submitted a *Shop Area Closure Report* dated October 2005. On September 12, 2007 the DEQ provided comments for the Closure Certification for the Vats, dated October 5, 2006, and the *Shop Area Closure Report*, dated October 2005, in accordance with the Facility Lead Corrective Action Agreement between EPA and Sembilan Enterprises, LLC, signed September 18, 2004, and the Closure Plan, dated September 11, 1997.
- On July 19, 2005, Bay Environmental submitted an *Alternate Closure Plan for the Vats* in a letter report dated July 13, 2005. In letter dated March 20, 2006, the DEQ issued a Notice of Deficiency. On June 13, 2006, the DEQ approved vat disposal, and the Facility disposed of the three vats in the Shop Area. In letter dated October 5, 2006, Bay Environmental Inc. certified closure of Vats V-51 (steel wastewater treatment tank), V-53 (plastic effluent tank), and V-54 (steel clean solvent tank) in accordance Section 1.4, Closure Certification, of the HWMUs Closure Plan (Closure Plan) dated 1997. On September 12, 2007, the DEQ provided comments for the Closure Certification for the Vats, dated October 5, 2006.
- On May 9, 2005, Bay Environmental, Inc. submitted a *Container Storage Area Closure Report* dated May 2005. On June 1, 2005, the DEQ submitted Review Comments No 1. On June 24, 2005, Bay Environmental submitted a revised *Container Storage Area Closure Report*, dated May 2005 and revised June 2005. In an email dated July 29, 2005, the DEQ provided comments to the revised *Container Storage Area Closure Report*. In a letter dated August 9, 2005, and received by DEQ on August 10, 2005, Bay Environmental provided a response to comments in the DEQ email, dated July 29, 2005. A revised *Container Storage Area Closure Report*, dated May 2005, and revised June 2005, with addendum August 2005, was submitted to DEQ on November 17, 2005 in letter dated November 10, 2005.
- On August 4, 2008, the DEQ submitted *Container Storage Area Closure Report* technical review comments to the Facility in accordance with the *Closure Plan* effective September 11, 1997. The *Closure Report* will be revised in accordance with the DEQ comments.
- On August 4, 2008, the DEQ submitted technical review comments for *FLA Work Plan* to the Facility. The *FLA Work Plan* will be revised in accordance with the DEQ comments. As the CA and closure activities are interrelated, the DEQ recommended that soil sampling, testing, and removal actions for closure of the HWMUs (shop area and rear yard) be combined with the sampling, testing, and removal actions required under the Work Plan under the FLA.
- As of October 17, 2008, the DEQ is preparing a preliminary risk assessment evaluation to assist the facility with both closure and CA evaluations at the site due to the extenuating circumstances associated with the changes in ownership at the facility site and time-line

associated with both the closure and CA at this site. The DEQ's preliminary risk assessment evaluation findings will be provided to the facility in writing for the facility's use in the forthcoming closure and CA submittals to the DEQ.

- Upon receipt of the DEQ's preliminary risk assessment findings, a revised FLA Work Plan is to be submitted for approval by the DEQ.
- Human Health Environmental Indicators (HHEI) Exposures Under Control Determination Report and the Groundwater Environmental Indicators (GWEI) Determination Reports were completed and approved by DEQ on September 18, 2008. The HHEI was a "Yes," human health exposures are under control, while the GWEI is an "IN," additional information is needed to determine if potential groundwater releases are controlled.
- Effective October 17, 2008, the DEQ is preparing a preliminary risk assessment evaluation to assist the facility with both closure and CA evaluations at the site due to the extenuating circumstances associated with the changes in ownership at the facility site and the time-line associated with both the closure and CA at this site. The DEQ's preliminary risk assessment evaluation findings will be provided to the facility for their use in the forthcoming closure and CA submittals to the DEQ.
- The DEQ has recommended that, upon completion of the closure and CA activities at the site, a single Closure and Corrective Action Report be submitted to address the outstanding issues and activities related with Closure of the HWMUs and CA at the site which includes: 1) removal action for soil in the shop area, 2) removal action for soil in the container storage area (rear yard), 3) corrective action for soil in the west yard, east yard, and drainage ditches, 4) and groundwater sampling and analysis, as needed based upon CA and applicable closure related requirements.

Details and supporting documentation can be obtained by reviewing the files at the DEQ's Central Office or by contacting the DEQ project manager identified in this fact sheet.

Environmental Indicator Status

Under the Government Performance and Results Act (GPRA), the Environmental Protection Agency (EPA) set national goals to address high priority RCRA CA facilities by the year 2008 and medium/low priority facilities by 2020. This facility is one of EPA Region 3's medium/low priority facilities and falls under the RCRA CA 2020 GPRA Universe list (2020 CA Universe List).

The EPA evaluates two key indicators for each facility: *Current Human Exposures Under Control* and *Migration of Contaminated Groundwater Under Control*. Virginia's current evaluation of Environmental Indicators for this facility is as follows:

- *Human Exposures Controlled Determination:* The DEQ has made the EI determination of “yes, that current human exposures are under control.” The above determination is based upon the DEQ’s Current Human Health Environmental Indicator (HHEI) Determination Report, dated September 18, 2008. This HHEI determination is considered current, effective, January 8, 2009.
- *Release to Groundwater Controlled Determination:* The DEQ has made the EI determination of “IN, more information is needed to make a determination that migration of contaminated groundwater is under control,” based upon the review of CA information for the site contained in the Groundwater Environmental Indicators (GWEI) Determination Report, dated September 18, 2008. Monitoring and testing of groundwater will be conducted and the groundwater will be further evaluated to establish if groundwater contamination exists at the site, and if present, whether contaminated groundwater remains within the “existing area of contaminated groundwater” and whether it is under control. This above GWEI determination is schedule to be reevaluated and completed again by September 30, 2009. This HHEI determination is considered current, effective January 8, 2009.

Contaminants

The primary constituent of concern is chromium. Additional constituents of concern include barium, cadmium, nickel, and silver in soil.

Institutional Controls

The facility is closed and fenced to restrict access. The facility and surrounding properties are serviced by public utilities, including a public water supply.

Community Involvement

A copy of all documents relating to the RCRA Closure and CA program at this facility are available for viewing at DEQ’s Central Office located at 629 East Main Street in Richmond, Virginia.

The documents may be reviewed during normal business hours, Monday-Friday: 8:00 AM – 5:00 PM.

Upon DEQ approval of the *FLA Work Plan*, a public notice will be provided and published in a leading area newspaper to announce that CA activities will be performed at the Hampton Industrial Plating Site. The public notice will describe the scope and objectives of the CA activities. A public information meeting will be held at least 15 days after publishing the public

notice, to discuss the approved FLA Work Plan, and the related approved Closure Plan, and the Closure and CA activities performed, and to be performed at the facility site.

Government Contacts

The DEQ is the lead technical and regulatory authority for this project. Please contact the DEQ project manager listed below for details on this project or the contents of this fact sheet.

DEQ Project Manager

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For more information about EPA's CA program, including Environmental Indicators, please visit EPA's website at: www.epa.gov/reg3wcmd/correctiveaction.htm

Facility Contact

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Fact Sheet Update

The previous fact sheet was updated October 17, 2008. The next fact sheet update is scheduled for July 2009. Previous fact sheets may be obtained through the listed DEQ contact.